

ORDINANCE NO.

**AN ORDINANCE WAIVING CERTAIN ANNUAL LICENSE AGREEMENT
ANNUAL FEES AND AUTHORIZING THE REIMBURSEMENT OF CERTAIN
ANNUAL LICENSE AGREEMENT FEES.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

- (1) Overhead pedestrian cover provided by a projection from a building, including a balcony or awning, or an arcade that is open to the street provides a benefit to the public.
- (2) Ordinance Nos. 030612-93 and 20060831-068 waived annual license agreement fees for certain improvements that provide overhead pedestrian cover.
- (3) Because overhead pedestrian cover provides a benefit to the public, the annual license agreement fee for all overhead pedestrian cover that meet the criteria set forth in City Code Section 14-11-43 (*Annual Fee*) should be waived.

PART 2. Council waives the annual license agreement fees for overhead pedestrian cover that meets the criteria in City Code Section 14-11-43 (*Annual Fee*) required in license agreements that were entered into prior to June 12, 2003 and August 31, 2006. This waiver is limited to annual license agreement fees due after the effective dates in Ordinance Nos. 030612-93 and 20060831-068.

PART 3. Council authorizes the City Manager to reimburse the annual license agreement fees (as described in Part 2) actually paid for overhead pedestrian cover that meets the criteria in City Code Section 14-11-43 (*Annual Fee*). The amount of the fees reimbursed may not exceed \$400,000.

PART 4. This ordinance takes effect on _____, 2014.

PASSED AND APPROVED

_____, 2014 § _____
 § _____

Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk